

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION**

CHARLES LUDWIG

Plaintiff,

v.

**MIDLAND CREDIT
MANAGEMENT, INC.,**

Defendant.

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Civil Action No.: 3:11-md-02286-MMA-MDD

**MOTION TO VOLUNTARILY DISMISS PLAINTIFF'S
CLAIMS AGAINST DEFENDANT**

Plaintiff, Charles Ludwig, by and through counsel, moves to voluntarily dismiss his claims against Defendant, Midland Credit Management, Inc. ("MCM" or "Defendant"), with prejudice and in support of this Motion states to the Court as follows:

1. This case originally arose in the Circuit Court of Monongalia County, West Virginia. The case was captioned *Charles Ludwig v. Midland Credit Management, Inc.* and assigned Case No. 14-C-404.

2. On or about June 9, 2014, Defendant removed the case to the United States District Court, Northern District of West Virginia. The case was captioned *Charles Ludwig v. Midland Credit Management, Inc.* and assigned Case No. 1:14-cv-00100-IMK.

3. Thereafter, on or about December 12, 2014, the case was transferred to the United States District Court, Southern District of California (MDL2286). Since that time, counsel for Charles Ludwig and counsel for MCM have resolved the present dispute, and have entered into a settlement agreement.

4. Plaintiff's counsel represents that he has communicated with counsel of Defendant, MCM, and that MCM agrees to this Motion. It is requested that all of Plaintiff Charles Ludwig's claims be dismissed with prejudice.

5. Accordingly, Plaintiff, Charles Ludwig, requests that the Court dismiss with prejudice all of Plaintiff Charles Ludwig's claims against MCM in the present case, and asks that the Court further find that these parties should bear their own respective costs and attorneys' fees in relation to these claims.

WHEREFORE, Plaintiff, Charles Ludwig, moves to voluntarily dismiss all claims asserted by Plaintiff Charles Ludwig, in this proceeding against MCM with prejudice, requests that the Court find that Plaintiff Charles Ludwig and MCM shall bear their own costs and fees, including reasonable attorneys' fees in relation to these claims, and for all other relief proper in the premises.

Respectfully submitted this 19th day of December, 2016.

By: /s/ Charles R. Pinkerton
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